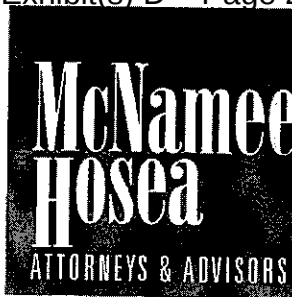


## **EXHIBIT D**



CRAIG M. PALIK  
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Direct dial: ext. 224

Admitted In  
Maryland, Virginia and  
District of Columbia

McNamee, Hosea, Jernigan, Kim,  
Greenan & Weiker, P.A.

February 27, 2009

**Via Facsimile (804) 775-1061**

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901 E. Cary Street  
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**Via Facsimile (302) 651-3001**

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Ian S. Federicks, Esq.  
Skadden Arps, et al.  
One Rodney Square  
P.O. Box 636  
Wilmington, Delaware 19899

**Via Facsimile (847) 444-1401**

Paul M. Naughton  
Great American Group, LLC  
Nine Parkway North, Suite 300  
Deerfield, Illinois 60015

Re: Circuit City Store #866  
1501 Rockville Pike, Rockville, MD 20852  
Congressional North Associates Limited Partnership, Landlord

Notice of Damage to Building Resulting from Posting of GOB Banner

Gentlemen:

I represent Congressional North Associates Limited Partnership, the landlord of Circuit City Store #866 located at 1501 Rockville Pike, Rockville, Maryland. The purpose of this letter is to put you on notice of the damage to the building caused by the

Dion W. Hayes, Esq.  
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Paul M. Naughton  
02/27/09  
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installation of the going out of business sign recently posted across the front of the building on February 25, 2009.

While the sign itself may be permitted under the Court's January 16, 2009 Order Approving Agency Agreement, Store Closing Sales and Related Relief, there is no reading of the Order that absolves the Debtor or the liquidating agent of damage caused by the installation of any sign. Please note from the pictures attached that the temporary banner was anchored into the building by drilling of huge bolts directly into the brick (not just the mortar). When the banner is removed, numerous large and unsightly holes will be plainly visible. My client is additionally concerned that water may enter the remaining holes and cause more significant damage with the freeze-thaw cycles that are frequent in the Washington D.C. metropolitan area during the winter months.

We are presently in the process of obtaining a mason's evaluation of the damage and an estimate of the costs necessary to correct this. We do not yet know the extent of the repairs required to restore the building to the condition immediately preceding the posting of the banner, but wanted to immediately bring this problem to your attention considering the damage just incurred. Once an estimate of the costs of repair is received, we will be in contact with you to discuss the resolution of this matter.

Please take note that Congressional North Associates Limited Partnership reserves all rights under both the lease and bankruptcy code and intends to include the repair costs to the building as part of any future administrative or cure claim which it may file in this case.

Very truly yours,

  
Craig M. Palik

Enclosures

Cc: Congressional North Associates Limited Partnership  
Attn: Michael Hollander, Esq.

**JOE  
BUSINESS**

02/26/2009

**GOING OUT OF BUSINESS**

02/26/2009

GOING OUT

26/2009